IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.456 OF 2005

Mushtaq Jalebkhan Mev ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr.N.R.Bubna for Applicant.

Mr.R.Y.Mirza, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

FEBRUARY 8, 2005.

P.C.

1. Heard Counsel for the parties. Perused the record.

2. As there is evidence on record to indicate complicity of the Applicant and considering the fact that the Applicant was operating as cleaner of the concerned truck and has been identified by witnesses for having participated in the commission of offence, not a case for bail.

3. The argument that the investigation is complete and custody of the Applicant is not required, does not impress me, having regard to the seriousness of the offence. Hence, dismissed.

4. The District Judge, Thane is directed to assign the case to the Fast Track Court, if already not done, to ensure early disposal of the trial.

5. The Trial Court shall proceed with the trial of the accused already arrested and in custody or on bail, by separating the trial of the absconding accused.

A.M.KHANWILKAR, J.